

**26-28 Rochester Place**  
Breeze Holdings Limited  
January 2022



# **26-28 ROCHESTER PLACE PLANNING STATEMENT**

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# Quality Assurance

<b>Site name:</b>	26-28 Rochester Place
<b>Client name:</b>	Breeze Holdings Limited
<b>Type of report:</b>	Planning Statement
<b>Prepared by:</b>	Christian Milner
<b>Signed</b>	CM
<b>Date</b>	16/01/2023
<b>Reviewed by:</b>	Jonathan Bainbridge
<b>Signed</b>	JB
<b>Date</b>	17/01/2023



## 1.0 Introduction

- 1.1 This Planning Statement has been prepared on behalf of Breeze Holding Limited (hereafter the 'Applicant') in support of an application for prior approval submitted to London Borough of Camden (hereafter 'LBC'). The application is for a 'two-storey upwards extension to an existing mixed use (residential and office) building to form 10 additional flats'.
- 1.2 The main purposes of this Planning Statement are to:
- Describe the proposed development, the site and surrounding area;
  - Set out the planning policy context for the site and its development; and
  - Demonstrate compliance with the relevant planning legislation.
- 1.3 The Statement seeks to draw together the assessments and documentation which have informed the preparation of the proposals and have been submitted with the application in order to assist the Local Planning Authority in determining the application.

## 2.0 Site and Context


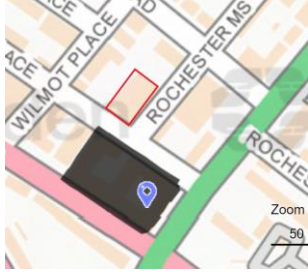

- 2.1 The application site is located in LB Camden. It is bounded by Rochester Place to the south and Rochester Place to the east. Residential properties on Wilmot Place and Rochester Road form the western and northern boundaries respectively.
- 2.2 The existing building is four storeys in height, plus a basement. The basement incorporates 13 parking spaces, cycle parking and ancillary storage/plant rooms. Access to the basement is via a gated ramp from Rochester Place.
- 2.3 The site does not contain any listed buildings and is not in a conservation area. The northern and eastern boundaries of the site adjoin the Rochester Conservation Area. The Conservation Area has at its centre the park Rochester Terrace Gardens, which is to the north of the site.
- 2.4 The relevant planning history of the site is as follows:

*Table 1 - Planning History of 'The Site'*

REFERENCE	DESCRIPTION	DECISION
<b>2005/0971/P</b>	The redevelopment of the site to provide 640 square metres of employment floorspace (Use class B1/B8) and 14 residential units, including roof terrace, car parking, cycle parking and landscaping.	Withdrawn 12/4/2005
<b>2005/3281/P</b>	Internal alterations to ground and first floors plus the addition of two new floors of residential accommodation above, to create 10 self-contained industrial units, and 14 two-bedroom flats.	Withdrawn 9/9/2005
<b>2006/1292/P</b>	Internal reorganisation and change of use of ground and first floors from warehousing (Class B8) floorspace to form 10 flexible business units (class B1c), and the erection of a two storey roof extension to create 13 two-bedroom flats (4x3 bed, 6x2 bed and 3x1 bed units).	Granted Subject to a Section 106 Legal Agreement  24/3/2005
<b>2006/4405/P</b>	Demolition of existing warehouse building (Class B8) and construction of four storey building including carparking at basement level, commercial units (Class B1) at ground and first floors and 13 residential (Class C3) units at second and third floors.	Withdrawn  8/11/2006
<b>2007/0524/P</b>	Demolition of existing warehouse building (Class B8) and construction of a four storey building including carparking at basement level, commercial units (Class B1) at ground and first floors and 13 residential (Class C3) units at second and third floors.	Granted Subject to a Section 106 Legal Agreement  15/02/2007

2.5 It is also pertinent to mention the nearby planning permissions:

Table 2 - Pertinent nearby permissions

APPLICATION	MAP (SOURCE: CAMDEN ONLINE PLANNING RECORDS <sup>1</sup> )
<p><b>2014/2998/P:</b> Erection of 3rd floor roof extension to provide a 2 bed self-contained flat (C3), alterations to commercial ground and residential 1st and 2nd floor level elevations with associated ramp access. Approved 28-07-2014</p>	 <p>1-2 Wilmot Place</p>
<p><b>2013/7646/P:</b> Redevelopment of the site to create 166 residential units, including affordable housing, following demolition of all existing business use buildings (Class B1) on the site and construction of a new building ranging from 5 to 7 storeys in height, together with associated works to create a lower ground floor, landscaping and public realm improvements. Approved 15-05-2014</p>	 <p>79 Camden Road and 86-100 St Pancras Way</p>
<p><b>2012/3293/P:</b> Erection of a single storey roof extension with associated external terrace on Rochester Place (north-east) elevation to provide additional flexible Class B1 floorspace; erection of a two storey extension on Wilmot Place (south-east) elevation including mansard roof extension in association with reconfiguration of existing flexible Class B1 floorspace and creation of 1x3 bed self-contained residential unit (Class C3) fronting Wilmot Place, together with associated alterations. Approved 02-10-2012</p>	 <p>55 Rochester Place &amp; 3a Wilmot Place</p>

<sup>1</sup> <https://planningrecords.camden.gov.uk>

## 3.0 Proposed Development

- 3.1 The proposed development seeks to provide 10 flats across two additional storeys to the existing building, in line with the permitted development rights set out below.
- 3.2 The proposal involves the addition of two new levels to the existing building, creating a new fourth and fifth floor. The new levels are intended to be complimentary to both the existing architecture and the site context.
- 3.3 The existing plant will be relocated on to the new roof level of the building.

*Table 3 - The proposed new dwellings compared to the Nationally Described Space Standards (NDSS)*

APPARTMENT	PROPOSED SIZE	NDSS MINIMUM STANDARDS
<b>Proposed 4<sup>th</sup> Floor</b>		
<b>Flat 14 (2b4p)</b>	71sqm	70sqm
<b>Flat 15 (1b2p)</b>	53sqm	50sqm
<b>Flat 16 (2b4p)</b>	73sqm	70sqm
<b>Flat 17 (2b4p)</b>	92sqm	70sqm
<b>Flat 18 (2b4p)</b>	84sqm	70sqm
<b>Flat 19 (1b2p)</b>	50sqm	50sqm
<b>Flat 20 (2b4p)</b>	78sqm	70sqm
<b>Proposed 5<sup>th</sup> Floor</b>		
<b>Flat 21 (2b4p)</b>	96sqm	70sqm
<b>Flat 22 (2b4p)</b>	88sqm	70sqm
<b>Flat 23 (3b6p)</b>	112sqm	95sqm

## 4.0 Legislative Context

- 4.1 An application for prior approval is not an application for planning permission. The relevant legislation is set out within the General Permitted Development Order. It is set out in full for clarity:

### General Permitted Development Order (GPDO) (2020 as amended)

“Class AA - new dwelling houses on detached buildings in commercial or mixed use”

PERMITTED DEVELOPMENT	ASSESSMENT OF 26-28 ROCHESTER PLACE
AA. — (1) Development consisting of works for the construction of up to two additional storeys of new dwelling houses immediately above the topmost storey on a detached building to which sub- paragraph (2) applies, together with any or all—	Compliant - The proposed development meets these criteria.
(a) engineering operations reasonably necessary to construct the additional storeys and new dwelling houses;	
(b) works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwelling houses;	
(c) works for the construction of appropriate and safe access to and egress from the new dwelling houses and existing premises in the building, including means of escape from fire, via additional external doors or external staircases;	
(d) works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwelling houses.	
(2) This sub-paragraph applies to a building which is—	Falls within (b)
(a) used for any purpose within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1(a) (offices) of the Schedule to the Use Classes Order, or as a betting office, pay day loan shop or launderette;	n/a
(b) in a mixed use combining— (i) two or more uses within paragraph (a); or (ii) a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order, together with one or	Compliant - The existing building comprises commercial and residential floorspace and therefore falls within this



more uses within paragraph (a).	category.
<b>DEVELOPMENT NOT PERMITTED</b>	<b>ASSESSMENT OF 26-28 ROCHESTER PLACE</b>
AA.1. Development is not permitted by Class AA if—	
(za) the permission to use the building as a dwellinghouse has been granted only by virtue of Class MA of Part 3 of this Schedule	Compliant - The building was not constructed as a result of permitted development rights.
(a) above ground level, the building is less than three storeys in height;	Compliant - The existing building is three storeys.
(b) the building was constructed before 1st July 1948 or after 5 <sup>th</sup> March 2018;	Compliant - Practical completion of the building was December 2010.
(c) on 5 <sup>th</sup> March 2018 the building was in a use other than—  (i) a use or mixed use within paragraph AA(2)(a) or (b); or  a use falling within Class C3 of the Schedule to the Use Classes Order;	Compliant.  The building was in use as follows:  Basement: commercial, cycle parking and plant  Ground Floor: Offices (3 Units)  First Floor: Offices (3 Units)  Second Floor: Residential (8 Units)  Third Floor: Residential (5 Units)
(d) the additional storeys are constructed other than on the principal part of the building;	Compliant - The additional storeys are proposed on the principal part of the building
(e) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—  (i) 3 metres; or  (ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing building;	Compliant - The floor to ceiling height would not exceed 3m (which is lower than ground floor and first floor of the existing storeys), as shown in the drawings.
(f) the new dwelling houses are not flats;	Compliant - The dwellinghouses will be flats.
(g) the height of the highest part of the roof of the extended building would exceed the height of the highest part of the roof of the existing building by more than 7 metres (not including plant, in each case);	Compliant - The extension will not exceed 7 metres, as shown in the drawings.

(h) the height of the highest part of the roof of the extended building (not including plant) would be greater than 30 metres;	Compliant - The total height of the building will not exceed 30 metres, as shown in the drawings.
(i) development under Class AA(1)(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development;	Compliant - Visible support structures are not proposed.
(j) development under Class AA(1)(a) would consist of engineering operations other than works within the existing curtilage of the building to—  (i) strengthen existing walls;  (ii) strengthen existing foundations; or  (iii) install or replace water, drainage, electricity, gas or other services;	Compliant - No further engineering operations are proposed, other than those listed.
(k) in the case of Class AA(1)(b) development there is no existing plant on the building;	Compliant - There is existing plant on the roof, as shown in existing drawings.
(l) In the case of Class AA(1)(b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the extended building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building;	Compliant - This requirement is met, as shown in the drawings.
(m) development under Class AA(1)(c) would extend beyond the curtilage of the existing building;	Compliant - The works for safe access to and egress from the new dwelling houses and existing premises in the building will not extend beyond the curtilage of the existing building, as shown in the drawings.
(n) development under Class AA(1)(d) would—  (i) extend beyond the curtilage of the existing building;  (ii) be situated on land forward of a wall forming the principal elevation of the existing building; or  (iii) be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building; or	Compliant - Works for the construction of storage, waste and other ancillary facilities will not extend beyond the existing building.
(o) the land or site on which the building is located, is or forms part of—  (i) article 2(3) land; (ii) a site of special scientific interest; (iii) a listed building or land within its curtilage; (iv) a scheduled monument or land within its curtilage;	Compliant - None of these apply.

<p>(v) a safety hazard area;</p> <p>(vi) a military explosives storage area; or land within 3 kilometres of the perimeter of an aerodrome.</p>	
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4.2 Attached to the above are several conditions, as follows:

**AA.2.**—(1) Where any development under Class AA is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for prior approval of the authority as to—

- (a) Transport and highways impacts of the development
- (b) Air traffic and defence asset impacts of the development
- (c) Contamination risks in relation to the building
- (d) Flooding risks in relation to the building
- (e) The external appearance of the building, including—
  - (i) the design and architectural features of—
    - (aa) the principal elevation; and
    - (bb) any side elevation that fronts a highway; and
  - (ii) the impact of any works under sub-paragraph (1)(c) or (d) of Class AA;
- (f) The provision of adequate natural light in all habitable rooms of the new dwellinghouses
- (g) Impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;
- (h) Impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses;
- (i) Impacts of the introduction of, or an increase in, a residential use of premises in the area on the carrying on of any trade, business or other use of land in the area;
- (j) Whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012 issued by the Secretary of State,
- (k) Where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building
- (l) Where the development meets the fire risk condition (see paragraph C(3) of this Part), the fire safety impacts on the intended occupants of the building and the provisions of paragraph B (prior approval) of this Part apply in relation to that application.

4.3 The above conditions are dealt with thoroughly in Section 5 below.

## 5.0 Assessment

5.1 As demonstrated in Section 4, it is evident that the proposals meet the requirements of Class AA development. This section now addresses the conditions of the legislation; each condition is dealt with in turn:

### (a) Transport and highways impacts of the development

The site is in a town centre location and the PTAL is 6a, which demonstrates that the site is highly accessible. The proposed additional 10 units would be car free and therefore would not increase the number of trips on the road or result in any additional highway impact.

#### Cycle Parking

As per local planning policy, a 24 cycle storage spaces have been allocated for the new flats, as seen on the 'Proposed Basement' plan. This consists of 19 spaces as dictated by London Plan, as well as an additional 20% required by the Camden Plan.

These spaces will be located in the basement level, which can be accessed via lift, stairs or the vehicle ramp from Rochester Place.

### (b) Air traffic and defence asset impacts of the development

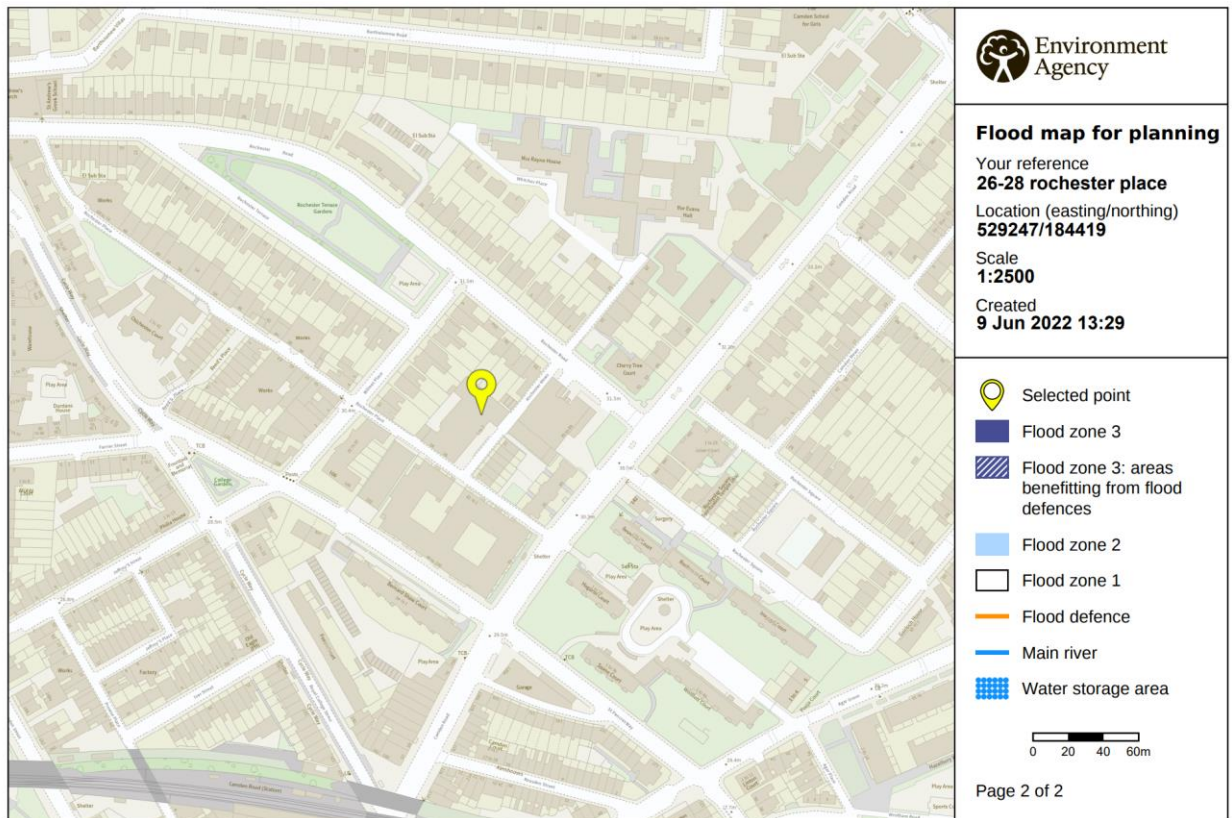
There would be no air traffic and defence asset impacts of this development by virtue of its scale and location.

### (c) Contamination risks in relation to the building

The site is in commercial and residential use, which are considered to be low risk for contamination. Furthermore, the implemented planning permission (2007/0524/P) for the existing building attached Condition 13, which required ground investigation for the presence of soil and groundwater contamination and landfill gas for approval by the Council prior to development taking place. This condition was discharged to the satisfaction of LBC and therefore it can be concluded that this condition is met.

### (d) Flooding risks in relation to the building

The site is in Flood Zone 1 and therefore has a very low risk of flooding:



Furthermore, the proposed development is located on the top storey of an existing building and therefore the impact on flooding would be minimal.

**(e) The external appearance of the building, including—**

**(i) the design and architectural features of—**

**(aa) the principal elevation; and**

**(bb) any side elevation that fronts a highway; and**

**(ii) the impact of any works under sub-paragraph (1)(c) or (d) of Class AA;**

It is important to note that we have taken due regard to the recent judgment in CAB Housing<sup>2</sup> (judgment 3rd February 2022), the court rejected arguments that consideration of 'external appearance' was limited to only public facing elevations, and concluded that control of external appearances is not limited to impact on the subject property itself, but also includes impact on neighbouring premises and the locality.

<sup>2</sup> CAB Housing Limited and others v. Secretary of State for Levelling Up, Housing and Communities and others [2022] EWHC 208 (Admin)

The proposals have been developed by Tasou Associates, an RIBA chartered practice and are supported by a Design and Access Statement which provides further detail.

The proposal involves the addition of two new levels to the existing building, creating a new fourth and fifth floor. The new levels are intended to be complimentary to both the existing architecture and the site context.

The focal point of the new design is the continuation of the glazed “lantern” to the corner of Rochester Place and Rochester Mews. The design language of this element will help to tie together the additional floors with those below. Whilst not as tall, the new extended height responds to the adjacent Camden Courtyards residential complex, which includes a prominent sixth/seventh storey clad in Corten.

The fourth floor will continue the same design language as the existing second and third floors, and therefore fit comfortably within the surrounding context. The new fifth floor, however, will deviate from the floors below in response to the smaller scale residential properties to the West of the site. In order to not appear imposing, this floor is set back to be visually minimal when viewed from the west (see Proposed Section AA). Aesthetically, this level is largely clad in glazing with a light-weight roof to further promote a sense of transparency and visual lightness.

Due to the chosen materiality and the setback nature of the fifth floor, this level will appear subservient to the lower levels below, and visually minimise the massing.

The proposed extension is intended to be visually similar to the existing building, with the new fourth level continuing the same metallic cladding. This continuity is also true of the glazed “lantern”, which will be extended in a similar way.

The fifth floor will be read as a new element, with full height glazing and a projecting canopy over the amenity spaces, giving this floor a more modern and light weight appearance. This level will be set back however, and be obscured from ground level, particularly from the neighbouring buildings to the North where the fifth floor will be totally hidden from view when looking from the back gardens.

Furthermore, the application is supported by a Heritage Statement. The Statement concluded by stating:

*“We therefore find that the proposed development to have had special regard for the desirable objective of preserving the special interest of the Grade II listed building 108-132 St Pancras Way and its setting in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and have paid special attention to the desirability of preserving or enhancing the character or appearance of the Rochester Conservation Area and Jeffrey’s Street Conservation Area in accordance with Section 72(1). In addition to satisfying these provisions of the Act, the NPPF Paragraphs 194-206 are also satisfied.”*

For the reasons set out above, it is considered that the proposals extension is a commensurate addition to the host building.

**(f) The provision of adequate natural light in all habitable rooms of the new dwellinghouses**

Hollis have produced a Daylight Sunlight Report (Internal) in support of this application. In terms of internal daylight, the report found that:



*“All 30 rooms assessed for daylight using the illuminance method will meet the target values recommended in the BRE guide (100% will meet the targets).”*

In terms of sunlight the report found:

*“Of the 30 rooms assessed for sunlight exposure, 21 (70%) will meet the target values recommended in the BRE guide. Each of the principal living room areas will meet the targets and receive at least 1.5 of sunlight on 21 March.*

*Of the 9 rooms that fall short of the targets, 6 are bedrooms. As they are not principal living rooms, they are considered to be less important in terms of sunlight, as noted in paragraph 3.1.2 of the BRE guide.*

*The remaining 3 rooms serve as living/kitchen/dining spaces and are north facing. The BRE recognises that sunlight availability may not be achievable in all units and the aim is to minimise the number of dwellings whose living rooms face solely north and this approach has been adopted here.*

*The sunlight results are therefore considered to be broadly compliant with the BRE guidance, as majority of the main habitable spaces will receive adequate levels of sunlight.”*

The proposals have been designed to minimise north facing units as much as possible within the orientation constraints for the site, and only three living rooms are in this position.

As noted in paragraph 3.1.2 of the BRE guide, sunlight is valued most in principal living rooms:

*“In housing, the main requirement for sunlight is in living rooms, where it is valued at any time of day but especially in the afternoon. Sunlight is also required in conservatories. It is viewed as less important in bedrooms and in kitchens, where people prefer it in the morning rather than the afternoon.”*

The Report summarises by stating that:

*“In overall terms the proposed units will be very well lit, with good levels of daylight and sunlight within the principal living spaces.*

*The results demonstrate that the design broadly meets the BRE targets and therefore by analogy, it also accords with Camden’s planning policy objectives in relation to amenity.”*

Therefore, it is considered that the proposals provide adequate natural light in all habitable rooms of the new dwellinghouses. For further information please refer to the accompanying report by Hollis.

**(g) Impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;**

The amenity of the neighbouring properties has been considered in the design of the proposed development to ensure there will be an acceptable level of impact on the surrounding residential properties. The supporting Daylight Sunlight Report (Surroundings) produced by Hollis concludes that:

*“The results of our assessment show that the proposed development will not cause material effects to the daylight and sunlight amenity of the neighbouring buildings. The technical analysis demonstrates that most rooms and windows (90%) will meet the BRE’s numerical criteria for daylight amenity to surrounding buildings and all rooms and gardens meet the sunlight targets.*

*It is also important to note that the BRE guide is not mandatory, and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design. We therefore conclude that the proposals accord with the BRE guide and Camden’s policy on amenity.”*

The proposals feature a similar form, albeit a reduction in size to the uppermost floor. The proposals are considered acceptable in terms of overlooking, privacy and the loss of light.

**(h) Impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses;**

The proposed units will be above existing residential units and therefore the principle of residential accommodation has already been established; there have been no complaints to date regarding noise from residents of the existing flats. Furthermore, the planning history of the immediate vicinity demonstrates that this is a mixed area in terms of use.

A Noise Assessment has been produced by SRL Technical Services. Their assessment demonstrated that:

*“In accordance with BS4142, there is a low impact of relocating the existing rooftop plant to the new higher level.*

*We have set plant noise limits for all new external plant at the nearest noise-sensitive receptor. These are cumulative limits for all plant associated with the development, not for individual items of plant, and include acoustic character corrections:*

*Day (07:00-23:00) 46dB  $L_{Ar, Tr}$*

*Night (23:00-07:00) 45dB  $L_{Ar, Tr}$*

*Guideline internal noise levels in accordance with BS8233 can be achieved in all rooms in the proposed dwellings with ‘standard’ double glazing (indicatively 6mm glass / 12mm cavity / 6mm glass) and nonacoustic trickle ventilators.”*

There are no significant noise impacts for future occupiers that will occur from existing commercial uses in close proximity. Therefore, as with the previous scheme the noise impact upon the residents of the proposed development should be considered acceptable.



- (i) Impacts of the introduction of, or an increase in, a residential use of premises in the area on the carrying on of any trade, business or other use of land in the area;**

As previously mentioned, the immediate area of this site is already mixed in use; a further 10 units is going to have a negligible impact on the overall character of the area. The proposed units will be immediately above existing residential units, which have integrated fully into the area and therefore it is possible to conclude that no trade, business or land use will be affected by the proposals.

- (j) Whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012 issued by the Secretary of State,**

There will be no protected views that will be impacted by the proposals.

- (k) Where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building**

Although the proposed height is c.15m, the application is supported by a Fire Statement produced by CHPK Fire Engineering. The proposed development meets the requirements of London Plan Policy D12 (Fire Safety). Policy D5 (Inclusive Design) to be addressed.

- (l) Where the development meets the fire risk condition (see paragraph C(3) of this Part), the fire safety impacts on the intended occupants of the building and the provisions of paragraph B (prior approval) of this Part apply in relation to that application.**

The application was submitted after 6<sup>th</sup> April 2021 and therefore required to comply with the Nationally Described Space Standards (NDSS). All of the proposed flats meet or exceed NDSS as demonstrated in Table 2.

## 6.0 Conclusion

- 6.1 As set out above, it is concluded that the proposals are compliant with “Class AA - new dwellinghouses on detached buildings in commercial or mixed use” of the General Permitted Development Order (GPDO) (2020 as amended). Further, we set out an assessment of the proposed development against the conditions noted at AA.2 of the Order and conclude that there are no unacceptable impacts which justify the refusal of the prior notification.
- 6.2 As such, it is considered prior approval should be granted without delay.